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"Reauthorization: S. 2724 (1990): Report 02" (1990). *Reauthorization: S. 2724 (1990)*. Paper 46.
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A BILL

*Administration bill
became S. 2724*

To Amend the National Foundation on the Arts and the Humanities Act of 1965, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Arts, Humanities and Museums Amendments of 1990".

SEC. 2. Section 3(b) of the National Foundation on the Arts and the Humanities Act of 1965, hereinafter through section 30 of the bill referred to as "Act" (20 U.S.C. 952), is amended by inserting "all those traditional arts practiced by the diverse peoples of this country" immediately after "forms,".

SEC. 3. Section 3(d) of the Act (20 U.S.C. 952) is amended by inserting "the widest" immediately after "enhance".

SEC. 4. Section 3(d)(2) of the Act (20 U.S.C. 952) is amended by inserting ",7(c)⁽¹⁰⁾~~(8)~~" immediately after "section 5(1)".

SEC. 5. Section 5(c) of the Act (20 U.S.C. 954) is amended:

- (1) in paragraph (2), by inserting "or tradition" immediately after "authenticity";
- (2) in paragraph (5), by inserting "education," immediately after "knowledge,";
- (3) in paragraph (7), by striking out "and";
- (4) by redesignating paragraph (8) as paragraph (10);
- (5) by inserting after paragraph (7) the following new paragraphs: "(8) projects which enhance managerial and organizational skills and capabilities;

(9) international projects and productions in the arts;
and"; and

(6) by striking out "clause (8)" and inserting in lieu thereof "paragraph (10)".

SEC. 6. Section 5(g)(2)(E) of the Act (20 U.S.C. 954) is amended by striking out clauses (i) and (ii) and inserting in lieu thereof: "(i) a description of the level of participation during the most recent preceding year for which information is available by artists, artists' organizations, and arts organizations in projects and productions for which financial assistance is provided under this subsection; (ii) for the most recent preceding year for which information is available, a description of the extent projects and productions receiving financial assistance from the state arts agency are available to all people and communities in the State; and".

SEC. 7. Section 5(1)(1) of the Act (20 U.S.C. 954) is amended:

(1) at the end of paragraph (E), by striking "and"; and

(2) at the end of paragraph (F), by striking the period and inserting "; and"; and

(3) by inserting the following new paragraph: "(G) stimulating artistic activity and awareness which are in keeping with the varied cultural traditions of this nation."

SEC. 8. Section 5(m) of the Act (20 U.S.C. 954) is amended:

(1) in the first sentence by striking out "develop" immediately after "relevant Federal agencies" and inserting in lieu thereof "employ";

(2) by striking out the sentence starting with "Not later than one year"; and

(3) in the last sentence by striking out "not later than October 1, 1988, and biennially thereafter" and inserting in lieu thereof "not later than October 1, 1992, and quadrennially thereafter".

SEC. 9. Section 7(a) of the Act (20 U.S.C. 956) is amended by striking out "a" and inserting in lieu thereof "the".

SEC. 10. Section 7(c) of the Act (20 U.S.C. 956) is amended:

(1) in the introductory paragraph, by inserting "enter into arrangements, including contracts, grants, loans, and other forms of assistance, to" immediately after "is authorized to";

(2) in paragraph (2), by striking out "(including contracts, grants, loans, and other forms of assistance)";

(3) in paragraph (3), by striking the first sentence thereof and inserting in lieu thereof "initiate and support training and workshops in the humanities by making arrangements with institutions or individuals.";

(4) in paragraph (7), by striking out "through grants or other arrangements".

(5) in paragraph (8), by striking "and";

(6) in paragraph (9), by striking the "." and inserting "; and"; and

(7) by inserting "(10) foster programs and projects that provide access to and preserve materials important to research, education, and public understanding of the humanities."

SEC. 11. Section 7(d) of the Act (20 U.S.C. 956) is amended by striking "correlate" and inserting in lieu thereof "coordinate".

SEC. 12. Section 7(f)(2)(A) of the Act (20 U.S.C. 956) is amended by striking out "of the enactment of the Arts, Humanities, and Museums Amendments of 1985" and inserting in lieu thereof "the State agency is established".

SEC. 13. Section 7(f)(2)(A)(viii) of the Act (20 U.S.C. 956) is amended:

(1) by striking "previous two years" in subclause (I) and

inserting in lieu thereof "most recent preceding year for which information is available"; and

(2) by inserting in subclause (II) after "(II)" "for the most recent preceding year for which information is available,".

SEC. 14. Section 7(f)(3)(J) of the Act (20 U.S.C. 956) is amended:

(1) by striking "previous two years" in clause (i) and inserting in lieu thereof "most recent preceding year for which information is available"; and

(2) by inserting in clause (ii) after "(ii)" "for the most recent preceding year for which information is available,".

SEC. 15. Section 7(g) of the Act (20 U.S.C. 956) is amended by striking in the last sentence everything after "subsection" through "1985".

SEC. 16. Section 7(h)(2)(B) of the Act (20 U.S.C. 956) is amended by striking out "on" after "Endowment" in the last sentence and inserting in lieu thereof "for".

SEC. 17. Section 7(k) of the Act (20 U.S.C. 956) is amended:

(1) by striking out "develop" immediately after "relevant Federal agencies," and in inserting in lieu thereof "employ";

(2) by striking out the sentence starting with "Not later than one year"; and

(3) by striking out "October 1, 1988" in the last sentence and inserting in lieu thereof "October 1, 1992, and quadrennially thereafter".

SEC. 18. Section 7 of the Act (20 U.S.C. 956) is amended--

(1) by striking out all language after subsection (1) and inserting in lieu thereof: "Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such groups are allowable as a charitable contribution under the standards of subsection (c) of section 170 of title 26."

(2) by inserting immediately following subsection (1) the following new subsection:

"(m) The Chairperson, with the advice of the National Council on the Humanities, is authorized to make the following annual awards:

(1) The Jefferson Lecture in the Humanities award to a person for distinguished intellectual achievement in the humanities. The annual award shall not exceed \$10,000; and

(2) The Charles Frankel Prize to honor persons who have made outstanding contributions to the public's understanding of the humanities. Up to five persons may receive the award each year. Each award shall not exceed \$5,000."

SEC. 19. Section 9(d) of the Act (20 U.S.C. 958) is deleted in its entirety.

SEC. 20. Section 10(a) of the Act (20 U.S.C. 959) is amended:

(1) in paragraph (6) by striking out "529" and inserting in lieu thereof "3324";

(2) after paragraph (8) and before "In any case" insert new subsection "(b)";

(3) after paragraph (8) and before "In selecting panels" insert new subsection "(c)";

(4) in new subsection (c) by striking "clause (4)" and inserting in lieu thereof "subsection (a)(4)";

(5) after paragraph (8) and before "Panels of experts" insert new subsection "(d)";

(6) by re-designating subsections (b), (c) and (d) as (e), (f) and (g), respectively, and by striking out subsections (e) and (f); and

(7) in redesignated subsection (g)(3) by striking out "the last sentence of subsection (a)" and inserting in lieu thereof "subsection (d)".

SEC. 21. Section 11(a)(1)(A) of the Act (20 U.S.C. 960) is amended by striking out in the first sentence everything after "Arts" and inserting in lieu thereof "\$125,800,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995.".

SEC. 22. Section 11(a)(1)(B) of the Act (20 U.S.C. 960) is amended by striking out everything in the first sentence after "Humanities" and inserting in lieu thereof "\$119,900,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995.".

SEC. 23. Section 11(a)(1)(C) of the Act (20 U.S.C. 960) is amended by striking out subparagraph (C).

SEC. 24. Section 11(a)(2)(A) of the Act (20 U.S.C. 960) is amended:

(1) by striking out "October 1, 1990" and inserting in lieu thereof "October 1, 1995";

(2) by striking out "paragraph (8)" and inserting in lieu thereof "paragraph (10)"; and

(3) by striking out everything after "shall not exceed" and inserting in lieu thereof "\$13,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995.".

SEC. 25. Section 11(a)(2)(B) of the Act (20 U.S.C. 960) is amended:

(1) by striking out "October 1, 1990" and inserting in lieu thereof "October 1, 1995"; and

(2) by striking out everything after "shall not exceed" and inserting in lieu thereof "\$12,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995.".

SEC. 26. Section 11(a)(3)(A) of the Act (20 U.S.C. 960) is amended:

(1) by striking out "October 1, 1990" and inserting in lieu thereof "October 1, 1995"; and

(2) by striking out everything after "shall not exceed" and inserting in lieu thereof "\$15,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995."

SEC. 27. Section 11(a)(3)(B) of the Act (20 U.S.C. 960) is amended:

(1) by striking out "October 1, 1990" and inserting in lieu thereof "October 1, 1995"; and

(2) by striking out everything after "shall not exceed" and inserting in lieu thereof "\$15,150,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995."

SEC. 28. Section 11(a)(3)(C) of the Act (20 U.S.C. 960) is deleted in its entirety and subparagraph (D) is redesignated as (C).

SEC. 29. Section 11(c)(1) of the Act (20 U.S.C. 960) is amended by striking out in the first sentence everything from "\$15,982,000 for fiscal year 1986" through "fiscal years 1989 and 1990" and inserting in lieu thereof "\$21,200,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995".

SEC. 30. Section 11(c)(2) of the Act (20 U.S.C. 960) is amended:

(1) by striking out in the first sentence everything from "\$14,291,000 for fiscal year 1986" through "fiscal years 1989 and 1990" and inserting in lieu thereof "\$17,950,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995"; and

(2) by striking out "or any other source of funds".

SEC. 31. Section 11(d) of the Act (20 U.S.C. 960) is amended:

(1) by striking out paragraph (1) and inserting in lieu thereof: "(1) The total amount of appropriations to carry out the activities of the National Endowment for the Arts shall be \$175,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995."; and

(2) by striking out paragraph (2) and inserting in lieu thereof: "(2) The total amount of appropriations to carry out the activities of the National Endowment for the Humanities shall be \$165,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995."

SEC. 32. Section 204(a)(1)(A) of the Museum Services Act, hereinafter through section 37 of the bill referred to as "Act" (20 U.S.C. 963), by inserting "conservation," after "curatorial,".

SEC. 33. Section 204(d)(1) of the Act (20 U.S.C. 963) is amended by striking out "four" and inserting in lieu thereof "three".

SEC. 34. Section 205 (a)(1) of the Act (20 U.S.C. 964) is amended by striking out "be compensated at the rate provided for level V of the Executive Schedule (section 5316 of title 5), and shall".

SEC. 35. Section 205(a)(2) of the Act (20 U.S.C. 964) is amended by striking out "Chairperson's" and inserting in lieu thereof "Director's".

SEC. 36. Section 206(a)(5) of the Act (20 U.S.C. 965) is amended by striking out "artifacts and art objects" and inserting in lieu thereof "their collections".

SEC. 37. Section 206(b) of the Act (20 U.S.C. 965) is amended:

(1) in paragraph (1), by striking out "with professional museum organizations"; "to such organizations"; and "enable such organizations to";

(2) in paragraph (2)(B), by striking out "the" and by striking out "of any professional museum organization";

(3) by striking out paragraph (2)(A) and renumbering paragraph (2)(B) as paragraph (2).

(4) in paragraph (3), by striking out "to professional museum organizations"; and,

(5) by striking out paragraph (4).

SEC. 38. Section 209 of the Act (20 U.S.C. 967) is amended:

(1) by striking out all language after subsection (a) and inserting in lieu thereof: "For the purpose of making awards under section 206 of this title, there are authorized to be appropriated \$24,000,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995."; and,

(2) by striking out the following language in subsection (d): "during the period beginning on October 8, 1976 and ending October 1, 1990," and inserting in lieu thereof "for fiscal year 1991 through 1995".

SEC. 39. Section 5(b) of the Arts and Artifacts Indemnity Act, hereinafter through section 40 of the bill referred to as "Act" (20 U.S.C. 974), is amended by striking out "\$1,200,000,000" and inserting in lieu thereof "\$3,000,000,000".

SEC. 40. Section 5(c) of the Act (20 U.S.C. 974) is amended by striking out "\$125,000,000" and inserting in lieu thereof "\$300,000,000".

SEC. 41. Section 5(d) of the Act (20 U.S.C. 974) is amended:

(1) by striking out "or" at the end of paragraph (2);

(2) by revising paragraph (3) to read as follows:

"(3) \$10,000,000 but less than \$125,000,000, then coverage under this act shall extend to loss or damage in excess of the first \$50,000 of loss or damage to items covered;" and

(3) by inserting the following new paragraphs (4) and (5):

"(4) \$125,000,000 but less than \$200,000,000, then coverage under this act shall extend to loss or damage in excess of the first \$100,000 of loss or damage to items covered; or (5) \$200,000,000 or more, then coverage under the act shall extend only to loss or damage in excess of the first \$200,000 of loss or damage to items covered."

SEC. 42. Title IV of the Arts, Humanities and Museums Amendments of 1985, Section 401, is stricken.

SEC. 43. Chapter 53 of title 5, United States Code, is amended in section 5315 by adding at the end thereof "Director of the Institute of Museum Services".

SEC. 44. These amendments shall be effective on the date of enactment.